

**FY 2022 JOINT FINANCE COMMITTEE  
HEARING  
JUDICIAL BRANCH**

**FEBRUARY 18, 2021**



# FY 2022 Operating Budget

- To the Governor, OMB, and the General Assembly, the Judicial Branch is grateful for continued support in the FY 2022 Governor's Recommended Budget, particularly during these challenging times.



# COVID-19

## The Judicial Branch Phased Reopening Plan

- ✓ **Phase One:**  
Implement safety protocols, allow limited number of attorneys and other professionals in courthouses, limited to 4 persons per elevator, visitors not to exceed 25% of total occupancy.
- ✓ **Phase Two:**  
Continue safety protocols, no more than 10 visitors per courtroom, non-courtroom public areas remain closed, jury trials remain on hold, court staff limited to 50%.
- ✓ **Phase Three:**  
Continue safety protocols, increased capacity in courtrooms, jury trials to resume slowly and carefully, court staffing limited to 75%.
- ✓ **Phase Four:**  
Return to full operations under “new normal” that may include certain safety protocols and increased use of technology.

# COVID-19

## The Judicial Branch Timeline

- On March 16, 2020, a Judicial Emergency was declared.
- On March 22, the Judicial Branch temporarily closed judicial facilities to the public to prevent spread of the virus. Even when closed, the courts continued to operate remotely. Three 24-hour Justice of the Peace Courts remained open to the public for urgent matters.
- Heavy investments in technology allowed the courts to conduct remote hearings and to continue mission-critical services.
- On June 15, Judicial facilities reopened to the public with Phase II of the Reopening Plan. Facilities have remained open to the public since.
- On October 2, the Judicial Branch moved to a modified Phase III of the Reopening Plan.
- On November 16, with the increase in Statewide COVID -19 cases, we returned to Phase II.
- The Judicial Branch continues to heed advice from public health experts and put public safety first.

# COVID-19

## COVID Expenditures

- COVID-related expenditures have included:
  - Technology such as zoom licenses and video equipment
  - Courtroom reconfigurations
  - Plastic safety barriers
  - Signage
  - Temperature scanners
  - Disinfecting machines
  - Special cleanings
  - Masks, gloves, sanitizers
  - Consultation from a local infectious diseases expert
- The Judicial Branch has spent nearly \$728,000 between March 2020 and December 2020 on COVID-related costs.
- We appreciate OMB's efforts to help us with reimbursements for COVID costs.

# Plastic Safety Barriers

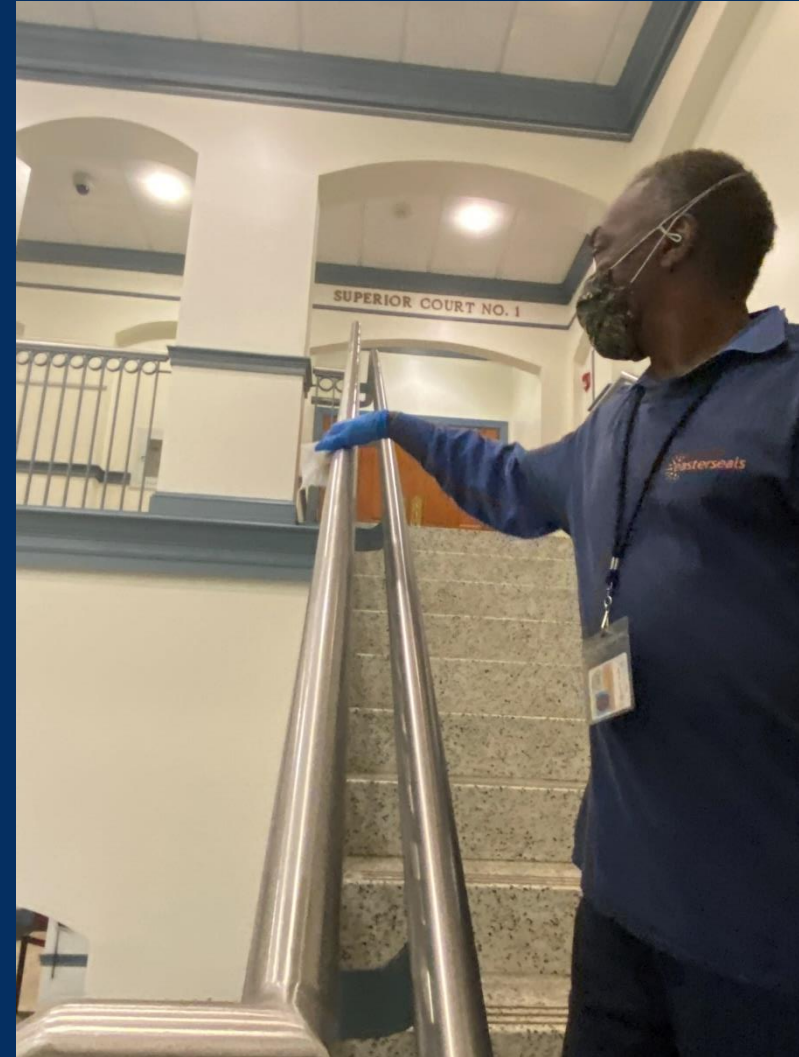
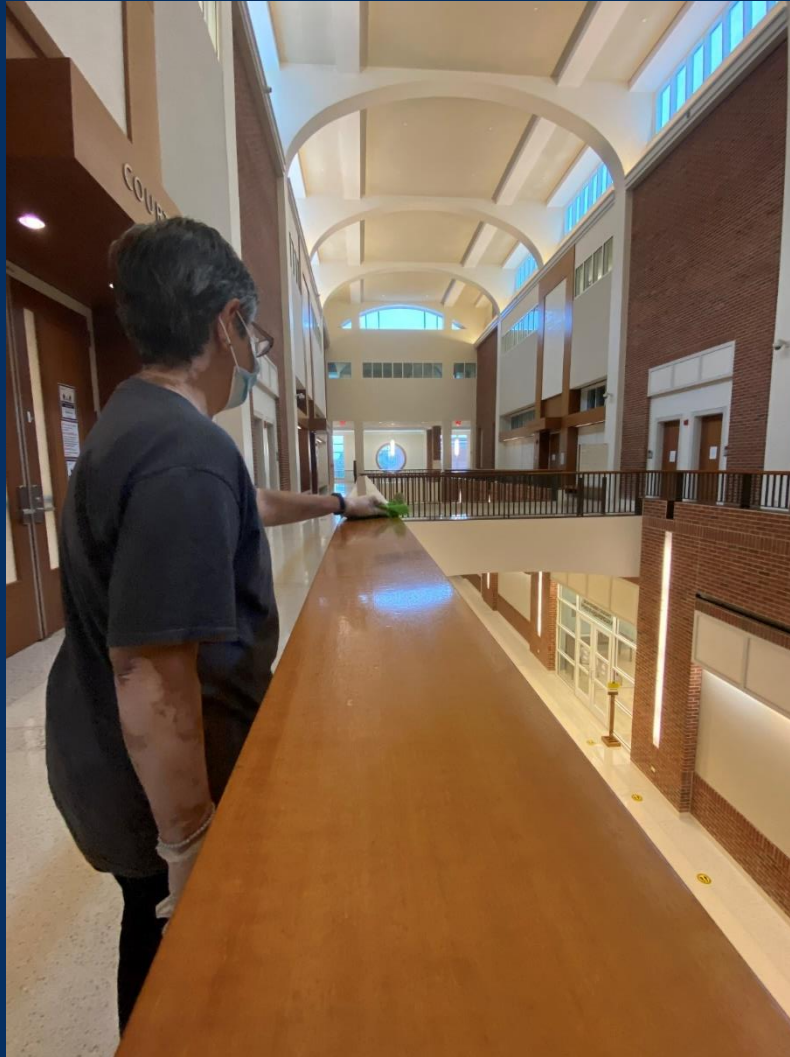




# Socially Distanced Spaces and Temperature Scanners



# Careful Cleanings





# Current Initiatives

## E-Filing

- E-Filing, Case Management and Document Management
  - ✓ Evaluating new programs to modernize our E-Filing across all courts and case types and unify case management and document management.
  - ✓ 3-5 year project. Proposals received and being evaluated.
- Progress: The Evaluation Committee plans to make a vendor recommendation to the Presiding Judges within the next couple of months.
- Benefits of Modernizing E-Filing, Case Management and Document Management:
  - ✓ Consistent data capture from beginning to end.
  - ✓ Data sharing among courts, partner agencies, and the public.
  - ✓ Data security and redundancy.
  - ✓ Standards-based software to avoid the cost of customizations and benefit from regular upgrades.
  - ✓ No more paper to be manually filed or lost.

# Current Initiatives

## Kent and Sussex Family Court Facilities

- After years of studies and financial reviews, the Judicial Branch is very appreciative that the Family Court Kent and Sussex County Courthouse facilities are included in the Governor's Recommended Budget at \$50.0 million for ongoing design and FY 22 start of construction.
- Once the design phase is completed for Sussex County, construction could begin before the end of the calendar year.
- We hope to construct both facilities on an overlapping timetable. Construction and completion dates of the Family Court facility for Kent County will depend on the funding and timeline set by the General Assembly and the Governor.

# Completed Initiative

## 7<sup>th</sup> Floor of the Leonard L. Williams Justice Center

- Thank you to OMB and to Facilities Management for helping us with the planning and construction of the 7<sup>th</sup> floor. This floor was previously shell space.
- Justice of the Peace Courts 20 and 10 have enhanced, more efficient space. Moving into LLWJC has been delayed due to COVID.
- Six New Courtrooms
  - 4 are for JP Court, with one that can be shared for use by other Courts.
  - Courtroom 7E is a large multi-defendant courtroom with room for a 21-person jury and 111 spectators. This courtroom has been configured for COVID and can fit a 12 person jury plus 2 alternates during social distancing.
  - Courtroom 7F can accommodate a 16-person jury (numbers do not reflect social distancing guidelines).
  - There are two additional jury deliberation rooms for Courtrooms 7E and 7F.

# Completed Initiative





# General Fund Budget Overview

FY 2021 Operating Budget: \$102,132,200

FY 2022 Personnel Contingency: \$104,000

FY 2022 Enhancements: \$1,067,500

FY 2022 GRB Operating Budget: \$103,303,700

# FY 2022 Governor's Recommended Budget

## ➤ \$500,000 for Technology Maintenance

- ✓ Technology maintenance funding is needed annually for normal and predictable lifecycle replacements and upgrades. We have a list of such items costed out, and we would be happy to share if anyone wishes to see our typical annual technology costs which require these funds.
- ✓ In FY 22, these funds will be used to replace the Storage Area Network (SAN), which supports the courts' IT infrastructure. The SAN stores databases, shared drives, court recordings, and other data that is critical for court operations.
- ✓ The lifecycle of the SAN is typically five years. Ours is 7 years old and at capacity for expansion.

# FY 2022 Governor's Recommended Budget

## ➤ \$93,700 and 1.0 FTE for Information Security

- ✓ This position will be dedicated to information security and the growing threat of cyber-attacks to state and local government.
- ✓ Security is threatened on a daily basis through ever-advancing phishing attempts.
- ✓ States, large cities, and the federal government have been the victim of various ransomware and hacking efforts.
- ✓ A successful attack can be extremely costly and can shut down operations for extended time periods.

# FY 2022 Governor's Recommended Budget

- \$62,900 and 3.0 FTEs for expiring grant positions for the Office of Child Advocate
  - ✓ 1 CASA Training Director and 2 Coordination Specialists
  - ✓ These positions are currently funded by VOCA grant funding, which is set to expire in March 2022.
  - ✓ The CASA Training Director is critical to recruitment and continued training of a large pool of CASA volunteers that serve as a voice for Delaware's abused and neglected children. The Coordination Specialists monitor reported cases of child abuse, serious injury, and death to ensure a multidisciplinary response by the criminal and civil systems.
  
- \$48,000 for Justice of the Peace Court lease escalators
  - ✓ JP Courts 2, 9, 11 and 13 contain annual lease escalators of 2%-3%, however, the Courts have not received a funding increase since FY 2019. This will cover annual lease increases for FY 2020, FY 2021, and FY 2022.



# FY 2022 Governor's Recommended Budget

## ➤ \$108,300 and 2.0 FTE Court Security Officers for Superior Court

- ✓ There are currently 17 Court Security Officers, 1 Court Security Supervisor and 1 Chief Court Security Officer in New Castle County.
- ✓ Many criminal calendars require more than one Court Security Officer to maintain public safety.
- ✓ The current staffing equates to less than one Court Security Officer per Judicial Officer for assignment to the Courtrooms.
- ✓ The already lean staff faces the additional strain of increased calendars for problem-solving courts and new courtrooms on the 7<sup>th</sup> floor.

# FY 2022 Governor's Recommended Budget

## ➤ \$254,600 and 3.0 FTEs to convert three contractual interpreter positions to FTEs

- ✓ There are only 7 certified Spanish interpreters in Delaware, and 3 hold long-term contracts with the Judiciary.
- ✓ These 3 long-term contractual employees are essentially working full-time schedules.
- ✓ Interpreting is a specialized skill and State certification requires exhaustive and costly preparation.

## ➤ \$60,000 for Civil Indigent Services

- ✓ These funds support Community Legal Aid Society, Inc. (CLASI), Delaware Volunteer Legal Services (DVLS), and Legal Services Corporation of Delaware (LSCD)
- ✓ This increase brings the annual funding amount back to the FY 2017 level of \$600,000.
- ✓ These funds are held in OMB's Contingencies and One-Time funds.

# Remaining Priorities

## Still In Need Of Support

- \$231,900 and 3.0 GF FTEs, and \$51,500 ASF and 1.0 ASF FTE for an additional CCP Commissioner
  - ✓ CCP currently has one Commissioner assigned to both Kent and Sussex Counties, which is inefficient and ineffective.
  - ✓ Sussex County is experiencing caseload growth at an unparalleled rate. From FY13 – FY19, the number of DUI cases brought in the Court increased by 44 percent.
  - ✓ The Department of Justice and Office of Defense Services are both supportive of this request.



# The Future

## Pipeline from Delaware State University to Delaware Law School

- The Judicial Branch is working with Delaware State University and the Delaware Law School to create a working relationship between the two schools.
- A pipeline program can provide underrepresented students with opportunities to explore the law, including pre-law programs, assistance with applications, internship opportunities and scholarships.
- The goal is to enhance the diversity, equity, and inclusion within the legal profession in Delaware and beyond.

## Criminal Justice Reforms

- The Judicial Branch continues to work with the General Assembly on criminal justice reform initiatives, such as Fines and Fees Reform, Expungements, and Bail Reform.



Thank you.



**Delaware**  
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